

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Case No. 17-32793
	§	
WEBSTER RESTAURANTS, LTD.	§	
	§	
	§	
Debtor(s)	§	

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION REPORT
CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

Eva Engelhart, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <i>(without deducting any secured claims)</i>	\$10.00	Assets Exempt:	NA
Total Distributions to Claimants:	\$389,277.51	Claims Discharged Without Payment:	NA
Total Expenses of Administration:	\$250,722.49		

3) Total gross receipts of \$640,000.00 (see **Exhibit 1**), minus funds paid to the debtor(s) and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$640,000.00 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Secured Claims (from Exhibit 3)	\$0.00	\$3,828,577.56	\$358,995.56	\$358,995.56
Priority Claims:				
Chapter 7 Admin. Fees and Charges (from Exhibit 4)	NA	\$250,722.49	\$250,722.49	\$250,722.49
Prior Chapter Admin. Fees and Charges (from Exhibit 5)	NA	\$0.00	\$0.00	\$0.00
Priority Unsecured Claims (From Exhibit 6)	\$0.00	\$1,554.71	\$1,554.71	\$1,554.71
General Unsecured Claims (from Exhibit 7)	\$0.00	\$100,411.18	\$60,172.23	\$28,727.24
Total Disbursements	\$0.00	\$4,181,265.94	\$671,444.99	\$640,000.00

4). This case was originally filed under chapter 11 on 05/01/2017. The case was converted to one under Chapter 7 on 11/18/2019. The case was pending for 21 months.

5). All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6). An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 08/03/2021

By: /s/ Eva Engelhart
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE	AMOUNT RECEIVED
Improvements-20237 Gulf Fwy, Webster Owner	1110-000	\$428,000.00
Premises Lease with Webster Etc, L.L.C.	1222-000	\$212,000.00
TOTAL GROSS RECEIPTS		\$640,000.00

The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

NONE

EXHIBIT 3 – SECURED CLAIMS

CLAIM NUMBER	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
1	Harris County et al.	4110-000	\$0.00	\$37,886.65	\$0.00	\$0.00
3	Clear Creek Independent School District	4110-000	\$0.00	\$60,285.73	\$0.00	\$0.00
5	Webster Finance, LLC (D. Guggenheim)	4110-000	\$0.00	\$451,903.85	\$0.00	\$0.00
7	Royal American Services, Inc.	4110-000	\$0.00	\$35,000.00	\$0.00	\$0.00
8	Gibraltar Finance & Mortgage, Inc. (D. Felt)	4110-000	\$0.00	\$1,950,000.00	\$0.00	\$0.00
9	Webster Finance, LLC (D. Guggenheim)	4110-000	\$0.00	\$663,465.00	\$0.00	\$0.00
10	Webster Finance, LLC (D. Guggenheim)	4110-000	\$0.00	\$271,040.77	\$0.00	\$0.00
	Harris County Taxing Authority	4700-000	\$0.00	\$307,759.56	\$307,759.56	
	Royal American Services, Inc.	4120-000	\$0.00	\$51,236.00	\$51,236.00	\$51,236.00
TOTAL SECURED CLAIMS			\$0.00	\$3,828,577.56	\$358,995.56	\$358,995.56
						6

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
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Eva Engelhart, Trustee	2100-000	NA	\$35,250.00	\$35,250.00	\$35,250.00
Eva Engelhart, Trustee	2200-000	NA	\$452.89	\$452.89	\$452.89
International Sureties, Ltd.	2300-000	NA	\$67.00	\$67.00	\$67.00
Hope Kobayashi Trust	2410-000	NA	\$125,387.00	\$125,387.00	\$125,387.00
Independent Bank	2600-000	NA	\$1,569.77	\$1,569.77	\$1,569.77
Credit to buyer for tax consideration per Order Entered 08-07- 20, Doc #178	2820-000	NA	\$32,000.00	\$32,000.00	\$32,000.00
Texas Comptroller	2820-000	NA	\$5,353.00	\$5,353.00	\$5,353.00
U.S. Trustee Payment Center	2950-000	NA	\$2,600.00	\$2,600.00	\$2,600.00
Ross, Banks, May, Cron & Cavin, PC, Attorney for Trustee	3110-000	NA	\$25,552.50	\$25,552.50	\$25,552.50
Ross, Banks, May, Cron & Cavin, PC, Attorney for Trustee	3120-000	NA	\$457.38	\$457.38	\$457.38
William G. West, C.P.A., Accountant for Trustee	3310-000	NA	\$21,883.50	\$21,883.50	\$21,883.50
William G. West, C.P.A., Accountant for Trustee	3320-000	NA	\$149.45	\$149.45	\$149.45
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		NA	\$250,722.49	\$250,722.49	\$250,722.49

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

NONE

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NUMBER	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
2-3P	Internal Revenue Service	5800-000	\$0.00	\$1,554.71	\$1,554.71	\$1,554.71
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$1,554.71	\$1,554.71	\$1,554.71

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NUMBER	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
2-3U	Internal Revenue Service	7100-000	\$0.00	\$16,636.41	\$16,636.41	\$7,942.50
4	Doyle, Restrepo, Harvin &	7100-000	\$0.00	\$43,535.82	\$43,535.82	\$20,784.74

Robbins, L.L.P.						
6	Donald W. Guggenheim	7100-000	\$0.00	\$22,993.76	\$0.00	\$0.00
11	Donald W. Guggenheim	7100-000	\$0.00	\$17,245.19	\$0.00	\$0.00
TOTAL GENERAL UNSECURED CLAIMS			\$0.00	\$100,411.18	\$60,172.23	\$28,727.24

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

Page No: 1

Exhibit 8

Case No.: 17-32793-H1-7
 Case Name: WEBSTER RESTAURANTS, LTD.
 For the Period Ending: 8/3/2021

Trustee Name: Eva Engelhart
 Date Filed (f) or Converted (c): 11/18/2019 (c)
 §341(a) Meeting Date: 12/12/2019
 Claims Bar Date: 03/09/2020

1	2	3	4	5	6	
Ref. #	Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA =§ 554(a) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Improvements-20237 Gulf Fwy, Webster Owner	\$4,000,000.00	\$2,500,000.00		\$428,000.00	FA
Asset Notes: Also sold per Order 8/7/20, Doc # 178						
2	Land leased to Debtor-20237 Gulf Fwy Possessory lien	Unknown	\$489,718.00		\$0.00	FA
Asset Notes: Also sold per Order 8/7/20, Doc # 178						
3	Icon Bank Checking Account	\$10.00	\$10.00		\$0.00	FA
Asset Notes: negligible						
4	Claims against Icon, Webster Fin., D. Guggenheim & D. Smith Regarding Potential Foreclosure	Unknown	\$0.00		\$0.00	FA
Asset Notes: Also sold per Order 8/7/20, Doc # 178						
5	Premises Lease with Webster Etc, L.L.C. (u)	\$0.00	N/A		\$212,000.00	FA
Asset Notes: Also sold per Order 8/7/20, Doc # 178						

TOTALS (Excluding unknown value)

\$4,000,010.00	\$2,989,728.00	\$640,000.00	Gross Value of Remaining Assets
<hr/>	<hr/>	<hr/>	<hr/>
\$0.00			\$0.00

Major Activities affecting case closing:

completing tax work prior to the TFR
 Assets sold/settled; tax work in progress.
 Motion to Auction pending
 Evaluating case for settlement or auction.

Initial Projected Date Of Final Report (TFR): 12/31/2021

Current Projected Date Of Final Report (TFR):

12/31/2021

/s/ EVA ENGELHART

EVA ENGELHART

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 17-32793-H1-7
 Case Name: WEBSTER RESTAURANTS, LTD.
 Primary Taxpayer ID #: **-***2096
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 5/1/2017
 For Period Ending: 8/3/2021

Trustee Name: Eva Engelhart
 Bank Name: Independent Bank
 Checking Acct #: *****2793
 Account Title:
 Blanket bond (per case limit): \$77,534,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
12/16/2019	(5)	Webster Etc, L.L.C.	Rent payment	1222-000	\$26,500.00		\$26,500.00
01/10/2020	(5)	Webster Etc, L.L.C.	Rent payment	1222-000	\$26,500.00		\$53,000.00
02/14/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$79,500.00
03/13/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$106,000.00
04/15/2020	3001	Hope Kobayashi Trust	Order Entered 4/6/20, Doc # 162	2410-000		\$45,784.00	\$60,216.00
04/22/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$86,716.00
05/05/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$113,216.00
06/04/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$139,716.00
07/07/2020	3002	Hope Kobayashi Trust	Order Entered 4/6/20, Doc # 162	2410-000		\$45,784.00	\$93,932.00
07/08/2020	(5)	Webster Etc, L.L.C.	Rent Payment	1222-000	\$26,500.00		\$120,432.00
08/24/2020		David M Smith & Associates Iolta	Order Entered 8/7/20, Doc # 178 Also includes assets 2,4 and 5.	*	\$396,000.00		\$516,432.00
	{1}		Gross sale proceeds	\$428,000.00	1110-000		\$516,432.00
			Credit to buyer for tax consideration per Order Entered 08-07-20, Doc #178	\$(32,000.00)	2820-000		\$516,432.00
08/26/2020	3003	Harris County Taxing Authority	Order Entered 8/7/20, Doc # 178	4700-000		\$137,891.64	\$378,540.36
08/26/2020	3004	Clear Creek ISD	Order Entered 8/7/20, Doc # 178	4700-000		\$169,867.92	\$208,672.44
08/26/2020	3005	Royal American Services, Inc.	Order Entered 8/7/20, Doc # 178	4120-000		\$24,500.00	\$184,172.44
08/26/2020	3006	Mustang Security & Inv., Inc.	Order Entered 8/7/20, Doc # 178	4120-000		\$26,736.00	\$157,436.44
08/26/2020	3007	Hope Kobayashi Trust	Order Entered 8/7/20, Doc # 178	2410-000		\$33,819.00	\$123,617.44
08/27/2020	3006	STOP PAYMENT: Mustang Security & Inv., Inc.	Reissued. Order Entered 8/7/20, Doc # 178	4120-004		(\$26,736.00)	\$150,353.44
08/28/2020	3008	Mustang Security & Inv., Inc.	Order Entered 8/7/20, Doc # 178	4120-000		\$26,736.00	\$123,617.44
08/31/2020		Independent Bank	Account Analysis Charge	2600-000		\$319.99	\$123,297.45
09/30/2020		Independent Bank	Account Analysis Charge	2600-000		\$353.48	\$122,943.97
10/05/2020	3009	International Sureties, Ltd.	Bond Premium: 10/1/20-10/1/21 Bond # 016071777	2300-000		\$67.00	\$122,876.97
10/30/2020		Independent Bank	Account Analysis Charge	2600-000		\$189.97	\$122,687.00

SUBTOTALS \$608,000.00 \$485,313.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 17-32793-H1-7
 Case Name: WEBSTER RESTAURANTS, LTD.
 Primary Taxpayer ID #: **-***2096
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 5/1/2017
 For Period Ending: 8/3/2021

Trustee Name: Eva Engelhart
 Bank Name: Independent Bank
 Checking Acct #: *****2793
 Account Title:
 Blanket bond (per case limit): \$77,534,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
11/16/2020	3010	Ross, Banks, May, Cron & Cavin, PC	Order Entered 11/16/20, Doc # 194 Attorney Fees	3110-000		\$25,552.50	\$97,134.50
11/16/2020	3011	Ross, Banks, May, Cron & Cavin, PC	Order Entered 11/16/20, Doc # 194 Attorney Expenses	3120-000		\$457.38	\$96,677.12
11/30/2020		Independent Bank	Account Analysis Charge	2600-000		\$161.30	\$96,515.82
12/31/2020		Independent Bank	Account Analysis Charge	2600-000		\$140.74	\$96,375.08
01/19/2021	3012	Texas Comptroller	Order Entered 12/10/20, Doc # 197 Acct No. 32035448706 Report Year 2021 Franchise Tax	2820-000		\$5,353.00	\$91,022.08
01/29/2021		Independent Bank	Account Analysis Charge	2600-000		\$139.42	\$90,882.66
02/26/2021		Independent Bank	Account Analysis Charge	2600-000		\$132.53	\$90,750.13
03/31/2021		Independent Bank	Account Analysis Charge	2600-000		\$132.34	\$90,617.79
04/09/2021	3013	William G. West, C.P.A.	Order Entered 4/7/21, Doc # 212 Accountant Fees	3310-000		\$21,883.50	\$68,734.29
04/09/2021	3014	William G. West, C.P.A.	Order Entered 4/7/21, Doc # 212 Accountant Expenses	3320-000		\$149.45	\$68,584.84
07/06/2021	3015	Eva Engelhart	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Trustee Compensation	2100-000		\$35,250.00	\$33,334.84
07/06/2021	3016	Eva Engelhart	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Trustee Expenses	2200-000		\$452.89	\$32,881.95
07/06/2021	3017	Internal Revenue Service	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Distribution on Claim #: 2	5800-000		\$1,554.71	\$31,327.24
07/06/2021	3018	Internal Revenue Service	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Distribution on Claim #: 2	7100-000		\$7,942.50	\$23,384.74

SUBTOTALS

\$0.00

\$99,302.26

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 17-32793-H1-7
 Case Name: WEBSTER RESTAURANTS, LTD.
 Primary Taxpayer ID #: **-***2096
 Co-Debtor Taxpayer ID #:
 For Period Beginning: 5/1/2017
 For Period Ending: 8/3/2021

Trustee Name: Eva Engelhart
 Bank Name: Independent Bank
 Checking Acct #: *****2793
 Account Title:
 Blanket bond (per case limit): \$77,534,000.00
 Separate bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
07/06/2021	3019	Doyle, Restrepo, Harvin & Robbins, L.L.P.	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Distribution on Claim #: 4	7100-000		\$20,784.74	\$2,600.00
07/06/2021	3020	U.S. Trustee Payment Center	Order Entered 7/6/21, Doc # 223 Order Entered 7/6/21, Doc # 224 Distribution on Claim #: 12	2950-000		\$2,600.00	\$0.00

TOTALS:	\$608,000.00	\$608,000.00	\$0.00
Less: Bank transfers/CDs	\$0.00	\$0.00	
Subtotal	\$608,000.00	\$608,000.00	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$608,000.00	\$608,000.00	

For the period of 5/1/2017 to 8/3/2021

Total Compensable Receipts:	\$640,000.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	<u>\$640,000.00</u>
Total Internal/Transfer Receipts:	\$0.00
Total Compensable Disbursements:	\$640,000.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	<u>\$640,000.00</u>
Total Internal/Transfer Disbursements:	\$0.00

For the entire history of the account between 12/16/2019 to 8/3/2021

Total Compensable Receipts:	\$640,000.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	<u>\$640,000.00</u>
Total Internal/Transfer Receipts:	\$0.00
Total Compensable Disbursements:	\$640,000.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	<u>\$640,000.00</u>
Total Internal/Transfer Disbursements:	\$0.00

FORM 2

CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 17-32793-H1-7
 Case Name: WEBSTER RESTAURANTS, LTD.
 Primary Taxpayer ID #: **-***2096
 Co-Debtor Taxpayer ID #: _____
 For Period Beginning: 5/1/2017
 For Period Ending: 8/3/2021

Trustee Name: Eva Engelhart
 Bank Name: Independent Bank
 Checking Acct #: *****2793
 Account Title: _____
 Blanket bond (per case limit): \$77,534,000.00
 Separate bond (if applicable): _____

1	2	3	4	5	6	7	
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSE	ACCOUNT BALANCES
	\$608,000.00	\$608,000.00	\$0.00

For the period of 5/1/2017 to 8/3/2021

Total Compensable Receipts:	\$640,000.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	<u>\$640,000.00</u>
Total Internal/Transfer Receipts:	\$0.00
Total Compensable Disbursements:	\$640,000.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	<u>\$640,000.00</u>
Total Internal/Transfer Disbursements:	\$0.00

For the entire history of the case between 11/18/2019 to 8/3/2021

Total Compensable Receipts:	\$640,000.00
Total Non-Compensable Receipts:	\$0.00
Total Comp/Non Comp Receipts:	<u>\$640,000.00</u>
Total Internal/Transfer Receipts:	\$0.00
Total Compensable Disbursements:	\$640,000.00
Total Non-Compensable Disbursements:	\$0.00
Total Comp/Non Comp Disbursements:	<u>\$640,000.00</u>
Total Internal/Transfer Disbursements:	\$0.00

/s/ EVA ENGELHART

EVA ENGELHART